



Washington State Liquor Control Board
Licensing & Regulation Division
3000 Pacific Avenue SE
P.O. Box 43093
Olympia, WA 98504-3093

Case #: 03-6A-015

TYPE OF ADMINISTRATIVE ACTION

- ☒ Administrative Violation Notice - **LIQUOR**
☐ Administrative Violation Notice - **TOBACCO**
☐ Written Warning

DEFENDANT'S EXHIBIT

CASE
NO. C04-0360P

EXHIBIT
NO. 549

Licensee Name Evergreen Distributing Co., Inc.		License Number 357425-6A	Class Beer & Wine Distributor	
Trade Name Evergreen Distributing Company				
Physical Address 1305 W 17 th St	City Vancouver	County Clark		
Mailing Address PO Box 61687	Mailing City Vancouver	Mailing State & Zip 98666-1687		
Violation: RCW 66.28.180(2) Beer and wine distributor price posting. (a) Every beer or wine distributor shall file with the board at its office in Olympia a price posting showing the wholesale prices at which any and all brands of beer and wine sold by such distributor shall be sold to retailers within the state.			Observed X	Referred
Served On:	Position	Date & Time Served		
Date & Time of Violation 03/31/03	Liquor Control Agent Jeanne Reschan	Agent Signature		

Investigative Summary

This investigation was initiated due to a complaint received alleging the licensee was selling Deschutes Black Butte Porter and Deschutes Mirror Pond Pale Ale 12oz-24 loose case beers to a few selected retailers without posting the prices with the Board.

The March 2003 Liquor Control Board price postings database showed Evergreen Distributing was not posted for these packages.

I contacted Evergreen Distributing licensee William D. Sauers regarding this issue. Mr. Sauers said they had tried to post a sale price for April but this didn't work, therefore he sold the beer on the last day of March because the March postings were correct. He said the beer was sold to four stores at a price of \$19.55 per case. I told Mr. Sauers that Board's database had no prices posted for these beers for the month of March. (The database had prices posted for the month of April 2003 at a price of \$22.36 per case).

I requested and received copies of Evergreen Distributing invoices dated 03/31/03 issued to the following licensed retailers; Sinnetts Market Place #2, Winco #49 Mill Plain, Winco #22 Hazel Dell, and Winco #4 Van Plaza. Each invoice listed the purchase/sale of cases of Deschutes Porter and Deschutes Mirror Pond beers at a price of \$19.55 per case. The quantity of Deschutes 12oz-24 beers sold to each of these retailers was substantial, 30 cases, 128 cases, 135 cases, and 60 cases.

I also talked to Darren Hager of Evergreen Distributing. Mr. Hager said the Deschutes beer 12oz-24 item codes had been classified as non-active by Evergreen's computer system. In order to post a price, the inactive codes were required to be removed. The inactive codes were not removed therefore the computer would not accept any posting for these items. Consequently, no price posting was sent to the Board.

Resp to Costco RFP
1394

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